

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	Criminal No. 2:11cr125
Plaintiff,)	
)	<u>PLEA AGREEMENT ADDENDUM</u>
v.)	
)	
SILAS LEE McHENRY, JR.,)	
)	
Defendant.)	

Two of the parties to the Plea Agreement in the above-captioned case, the United States of America, by its attorneys, Timothy Q. Purdon, United States Attorney for the District of North Dakota, and Scott J. Schneider, Assistant United States Attorney, and Laurie McHenry, spouse of Defendant Silas Lee McHenry, Jr., and her attorney, Ronald I. Galstad, do hereby stipulate and agree to the following Addendum to the Plea Agreement in this case. This agreement is made with the intention of clarifying the respective positions of the United States and Laurie McHenry, as parties, regarding the forfeiture of certain assets under Paragraph 23 A through H of the Plea Agreement:

1. Laurie McHenry, the spouse of Defendant Silas Lee McHenry, Jr., signed the Plea Agreement in this case, under which she agreed to comply with all the provisions of Paragraph 23 of the Plea Agreement, including forfeiting to the United States all of her right, title, and interest in certain assets, which have been acquired during her marriage to the Defendant. (Paragraph 23H) Specifically, Laurie McHenry has agreed “to the forfeiture and transfer to the United States of all of her right, title, and interest in the property set forth in Paragraph 23B of the Plea Agreement” (Paragraph 23H); and “to

comply with the provisions of Paragraph 23, take all necessary action, and execute all documents requested by the United States to forfeit and transfer to the United States all property set forth in Paragraph 23B.” (Paragraph 23G)

2. In return for Laurie McHenry’s promises to comply with Paragraph 23 of the Plea Agreement, including Paragraphs 23G and 23H, to forfeit, transfer, and deliver to the United States [all of her right, title, and interest in] the assets set forth in Paragraph 23B (real estate located in East Grand Forks, MN, a 2005 Ford F350 pickup truck, and \$4,000 in U.S. currency), the United States has agreed it “will not seek the forfeiture of, or take other collection action to forfeit to the United States, or to seek to obtain” the assets set forth in Paragraph 23E, sub-paragraphs 1 and 2 (real estate located in Grand Forks, ND, and a Ford 500 SEL automobile). (Paragraph 23E)

3. In clarifying the respective obligations of Laurie McHenry and the United States under the Plea Agreement, the parties stipulate and agree that: (a) as long as Laurie McHenry fully complies with her specific forfeiture obligations under Paragraphs 23G and 23H of the Plea Agreement, and waives and transfers to the United States all of her right, title, and interest in the assets set forth in Paragraph 23B, and does not oppose in any manner actions by the United States to obtain a forfeiture judgment and a restitution judgment against Defendant Silas Lee McHenry, Jr., in amounts not to exceed \$1,246,362.22, then (b) the United States will not seek the forfeiture of, or take collection action against, the assets set forth in Paragraph 23B, even if Defendant Silas McHenry, Jr., were to violate the terms of the Plea Agreement by not fully complying with all of its

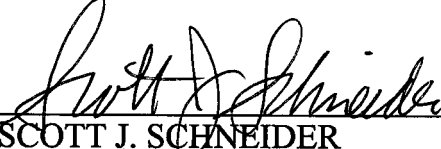
provisions, as he is required to do by Paragraph 23E of the Plea Agreement. There are no additional terms to this Addendum to the Plea Agreement in the above-captioned case.

AGREED:


TIMOTHY Q. PURDON
United States Attorney

Dated: 3/5/12


By:


SCOTT J. SCHNEIDER
Assistant United States Attorney

Dated: 3-1-2012


LAURIE McHENRY, Spouse of
SILAS LEE McHENRY, JR.
Defendant

Dated: 3-1-2012


RONALD I. GALSTAD
Attorney for Laurie McHenry